IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3447 OF 2006

Bapu Tukaram Renuse and others Applicants
versus
The State of Maharashtra Respondent

Vaibhav Mane i/by Sanjeev P. Kadam for applicants
Mrs.M.M.Deshmukh, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 27th September 2006

PC :

1. The applicants are arrested in connection with CR No.211 of 2006 registered at Vishram Bagh Police Station, Pune for the offences punishable under sections 419, 420, 467, 468, 401 r/w 34 and 511 of IPC..

2. I have perused the statement of Shri Dinesh Balkrishna Gandhi-the complainant. From a perusal of the same it appears that the applicants are accused of inducing him to part with the sum in consideration of sale of an immovable property. It is alleged that the applicants have produced before them a person and

introduced him as owner of the immovable property. The allegation is that the applicants themselves had no right but the person allegedly produced before them and impersonated, is not the owner. In such circumstances, the incident occurred and the complaint was lodged.

3. Learned APP states that the cheque has been recovered at the instance of applicants. She states that all documents are also seized.

4. Although the charge sheet is not filed, considering the peculiar facts of this case and with strict conditions being imposed, the applicants can be enlarged on bail. Hence, following order.

5. ORDER :-

(i) The applicants shall be enlarged on bail in connection with C.R.No.211 of 2006 registered with Vishram Bagh Police Station, Pune, subject to furnishing a personal bond of Rs.10,000/- (Rs.Ten thousand only) with one or two local sureties in the like sum;

(ii) The applicants shall not enter the limits of Vishram Bagh Police Station, Pune till conclusion of trial;

(iii) The applicants shall furnish forthwith his new residential address where he proposes to reside after bail and during pendency of trial,

to the Investigating Authority, and shall not change his residence without prior intimation to the Investigating Authority;

(iv) The applicants to report to the nearest Police Station namely Deccan Police Station, Pune once a week till conclusion of trial;

(v) The bail is granted subject to condition that the applicants shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

(vi) The applicants shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail;

(vii) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial;

(viii) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)